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OFFICE OF PETITIONS

In re Application of :
Winthrop D. Childers :
Application No. 10/625,813 : ON PETITION
Filed: 22 July, 2003 :
Atty Docket No. 10008113-4 :

This is a decision on the petition filed under 37 CFR 1.182 on 23 September, 2005, requesting that terminal disclaimer(s) filed in Application No. 10/625,813 be withdrawn.

The petition is dismissed.

The present petition requests that three (3) terminal disclaimers filed in the above-identified application on 6 May, 2005, be withdrawn.

The petition is dismissed because the remarks filed with the petition to withdraw the terminal disclaimers explicitly point out that the applicant requests withdrawal of the terminal disclaimers in order to reopen issues pertaining to obviousness-type double patenting rejections. Petitions seeking to reopen the question of the propriety of the double patenting rejection that prompted the filing of the terminal disclaimer have not been favorably considered.¹ As such, the present petition will not be favorably considered.

The petition fee of \$400.00 will be assessed to counsel's deposit account, No. 50-2100.

¹ MPEP 1490(VII)(A).

There is no indication that petitioner herein was ever empowered to prosecute the instant application. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation must be mailed. A courtesy copy of this decision will be mailed to petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Mail Stop Petition
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The application is being referred to Technology Center Art Unit 1734 for further processing.

Telephone inquiries should be directed to the undersigned at 571.272.3231.



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